

Art Unit: 1794

## **MISCELLANEOUS COMMUNICATION**

### ***Election/Restrictions***

1. This application is in condition for allowance except for the presence of claims 20-27 directed to an invention non-elected with traverse in the reply filed on 5/29/2008. Applicant is given ONE MONTH or THIRTY DAYS from the date of this letter, whichever is longer, to cancel the noted claims or take other appropriate action (37 CFR 1.144). Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's Amendment and pass the case to issue. Extensions of time under 37 CFR 1.136(a) will not be permitted since this application will be passed to issue.

The prosecution of this case is closed except for consideration of the above matter.

### ***Claim Rejections - 35 USC § 112***

1. The rejections under 35 U.S.C. 112, second paragraph, in the previous Office Action has been withdrawn in view of Applicant's Amendment filed 12/22/2008.

### ***Double Patenting***

2. The provisional rejections on the ground of nonstatutory obviousness-type double patenting based on copending Application No. 11/886,254 in the previous Office Action has been withdrawn, because the copending Application is the later filed application and no other rejections are outstanding in the copending and present applications.

*Allowable Subject Matter*

3. Claims 1-19 are allowable over the prior art of record.

4. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fails to disclose a method of smoothing a polymer substrate comprising the application of the recited coating composition having the specified silicon-based polymeric component and the specified amount of silica, the resultant coating having the recited Ra or Rq values (claim 1) and the resultant films (claim 17). ANDERSON (US 5,069,942) and ANDERSON (US 5,415,942) and WO '94/13467 and CLARK (US 3,986,997) and UBERSAX (US 4,177,315) fail to disclose coating with the recited surface roughness values; KAMITANI ET AL (US 6,465,108) and STEIN ET AL (US 6,322,860) fail to disclose coatings containing the recited amount of silica; TOJO ET AL '774 and TOJO ET AL '077 and ONO ET AL (US 6,936,331) fail to disclose the recited silicon-based coatings.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivian Chen whose telephone number is (571) 272-1506. The examiner can normally be reached on Monday through Thursday from 8:30 AM to 6 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks, can be reached on (571) 272-1401. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

The General Information telephone number for Technology Center 1700 is (571) 272-1700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 27, 2009

/Vivian Chen/

Primary Examiner, Art Unit 1794